

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

RUDY SLACK,

Defendant.

Case No. 05-cr-30133-7-DRH

ORDER

HERNDON, District Judge:

Before the Court is defendant Rudy Slack's Motion for Additional Time to File Motion for New Trial (Doc. 436). Slack requests this additional time in order to more fully research and prepare such Motion. Pursuant to **Federal Rule of Criminal Procedure 33(b)(2)**, "any motion for a new trial grounded on any reason other than newly discovered evidence must be filed within 7 days after the verdict or finding of guilty." However, the Court may permit an extension of time under **Federal Rule of Criminal Procedure 45(b)**.

The above-case amounted to a lengthy trial, involving Slack and four other codefendants. Undoubtedly, for counsel to review the record of the trial, in order to identify, research and argue grounds in support of a new trial will likely require more time than the statutory 7 days given under Rule 33(b)(2). Further, the Motion states that the Government does not object to this request. Therefore, for

good cause shown, defendant Smith's Motion (Doc. 436) is **GRANTED**. Defendant Slack shall have until **March 26, 2007** to file his Motion for New Trial.

IT IS SO ORDERED.

Signed this 21st day of February, 2007.

/s/ David RHerndon
United States District Judge